

NEWTON COUNTY DRAINAGE BOARD

Newton County Government Center – Morocco, IN

September 17, 2012 1:30 P.M.

The Newton County Drainage Board met on **September 17, 2012** with the following persons present: Board Members – Russell Collins, Jim Pistello & Tim Drenth, Surveyor Chris Knochel, County Engineer Larry Holderly, Secretary Debra Chapman Risley, Drainage Board Attorney Dan Blaney and Building Commissioner Butch Cain.

Minutes – Sept. 4, 2012 – Jim made a motion to approve the Sept. 4th minutes with a second from Tim.

Motion carried and minutes were signed.

Hearings – Mary Spitler Tile M-15 – Butch Cain was present to project the maps on the overhead screens. Chris reviewed his findings per the Surveyors Report dated July 2, 2012 (refer to report & tape for more details). He stated there would be approx. 1100 feet x 20' wide (just under ½ ac.) of Chad Rutledge's yard which would be used for the project. Phase one of the project was estimated at \$48,527.32 and Phase Two at \$7,700.40. According to statutes, Chris estimated the least expensive and best way to proceed. Gwen Rutledge questioned how the open ditch was to be run on Chad's property. Chris responded from just south of 200 south to the North property line along the road. Gwen replied on Chad Rutledge's behalf stating that she did not think it was feasible and that Chad doesn't feel he should give up ½ acre and then be taxed the amount he will be taxed. Gwen had asked why a bigger

tile would not work instead. Chris said since he is obligated for the best and cheapest way he had to come up with an excavation since that would cost less than a 30" tile. King Clark asked what happened to the agreement that he, Roger and the Drainage Board had in April or May. Jim and Russ said that there had been so many agreements that he was unsure which one King was mentioning. Chris said the board had requested a surveyors report and by statute he must submit the cheapest and best route. King wanted to know why we didn't just follow the old tile then to which Roger DeYoung replied that "it was too flat". Roger spoke and said he was of the same opinion as King in that the last we talked about when Chad was there was that we were going to go behind Chad's house – the negative of that was another possible easement - Roger didn't think it was that expensive. There would be a second easement but he wouldn't lose the front yard. It was to be a 60' easement with 30' on each side of the tile. Gwen said she thought Chad would agree to a small easement but not too big of an easement. Chris said if that is going to be done then the upstream landowners could work that out. Roger thought that was what it was going to be when they left the last meeting. Russ reiterated if there is an easement then the county would maintain inside the easement and the landowners would still be charged an assessment based upon the cost. Deb reported that Matt's rough estimate was \$58,350 for 2,400' of 18" dual wall slot drain tile wrapped in fabric installed with a road crossing. Roger said you wouldn't have to go dual wall beyond Chad's hill – you could go single wall and the cost would be considerably less. Larry thinks

we would want a smooth interior the whole way as corrugated slows up the flow of water. He thought a single wall would be O.K. part of the way. Larry said there is an 18-20' cut behind Chad's building. When Gwen asked about the retention pond Larry stated we couldn't get a pond big enough. Russ said we are getting right back to where we were when we started. This is the surveyor's proposal and it can either be accepted or denied. Jim feels for Chad in that he would lose a large portion of his front yard. Chris said if we do not allow him to go into the road easement then he would need approximately 20'. Larry said it would take another 10' besides the easement. Chris said it was roughly figured at 20' beyond the road right of way. Chris said he had told Chad he would stake it after the crops were off. Depending upon how much of the road ROW we can have, Chris said we wouldn't have to go that far. Jim was asking how much beyond the ROW Chris would need to which Chris said he would rather go out and stake it. Gwen asked where the price came from on the estimate to which the board replied it was a ballpark figure. Chris replied that the estimates are usually higher because an assessment cannot be raised without another hearing. Dan said the board has received the recommendation from the surveyor, who is required by statute to do the project in the best and most economical way possible. Therefore the board has three choices: 1) accept the recommendation 2) deny the recommendation 3) look at it again after it is staked. **Jim made a motion to table this until Chris can go out and stake it so that Chad (Rutledge) knows exactly where the project will be. Tim stated he would like for the updated report to be in two weeks**

to which Chris said the crops need to be out. Jim asked if that would give us time to get the cost of the tile – hopefully by then we would have that. Jim said maybe someone needs to explain to Chad that the easement in the back would only be 60’ and not 120’. That could be staked because Chad needs to see what we are going to do. Jim asked why we need 30’ on each side. Chris said it is pretty deep and if you are working in 10’ with an excavator then you need room to move the dirt. It was decided that both options need flagged – the roadside ditch and the pipe going through the property with the easement. **Tim seconded the motion for the project to be staked when the crops are out. Motion carried.** Gwen is to let Chris know when the crops are out so that he can go out and stake. **Hearings, cont. - Simons Lateral M-729 –** Chris reviewed the Surveyor’s Report dated August 6, 2012 stating it is a lateral to the Talley Ditch. Mark Simons came in as a representative of 95% of the preliminary watershed which runs from the railroad grade in a horseshoe shape from 150W to the Tally Ditch on the East and then south to the building site for a total of 122.139 ac. including the railroad property. Chris’ estimate was \$15,262.30 which included a \$706.80 culvert for a field entrance since the ditch will be deepened. Whereas this is a reconstruction Chris has the assessment stretched over a period of 8 yrs. Dan stated that the railroad said it is no problem since we are not affecting their ROW. In fact, Dan said it would actually help them with their drainage. The name and number of the railroad contact will be given to Chris. Deb explained that at the time Mark brought this to the board’s attention, he submitted an estimate

from Craig King in the amount of \$12,370. The project had been sent for bids so they were opened and recorded as follows: JD Excavating \$9,250.00; Ronnie Madison \$10,100.00; E.W. Mattocks & Sons \$12,250.00; Craig King \$11,250; Tony Garriott \$15,400.

Tim made a motion to accept the bid from JD Excavating in the amount of \$9,250.00 as long as it meets Chris' specifications. Jim seconded the motion and the motion carried. Whereas the proposal was considerably less than the surveyor's estimate the proposed assessment rate of \$15.00/ac. will need to be recalculated. It was estimated to be \$9.50/ac. **William Whaley Reconstruction M-709** – Leland Mayhew was on hand to state that everything looks good to him on the William Whaley. Deb reported that the recommended assessment was \$1.50/ac. for eight years. **Tim made a motion to accept the assessment rate of \$1.50/ac. for eight years with a second from Jim. Motion carried.**

Proposals – Fleckenstein Surface Repair #2 M-77 – Bids were received as follows: Tony Garriott \$1,500.00; JD Excavating \$1,900.00. Chris' estimate was \$1,815. **Jim made a motion to accept the bid from Tony Garriott in the amount of \$1,500.00**

as long as it meets Chris' specifications. Tim seconded the motion and the motion carried. Sam Deardurff M-82

– Bids received are as follows: Ronnie Madison \$5,244.00; E.W. Mattocks \$5,100.00; JD Excavating \$9,100.00; Craig King \$7,200.00; Tony Garriott \$5,635.00. Chris' estimate was \$8,184.14. **Tim made a motion to accept the bid from Ronnie Madison in the amount of \$5,244.00 as long as it meets Chris' specs with a second from Jim. *Due to the location of work,***

nature of project the Board accepts the next lowest bid. Motion carried. **Carlson-Johnson Group M-730 -**

Deb mentioned the fact that in 2006 the drainage board voted to combine the Carlson Ditch, Carlson Extension, Carlson Lateral and Newell Johnson Open into the Carlson-Johnson Group. However at the time nothing was decided on how to handle the balances in each of the individual drains. She reported that as of 8/28/12 the combined balances were \$5,118.16. **Jim made a motion to combine the fund balances on the before mentioned drains and place them in the Carlson-Johnson Group Fund M-730. Tim seconded the motion and the motion carried.** The proposals

were opened for the project and they are as follows: Ronnie Madison \$5,681; Craig King \$13,940; JD Excavating \$8,900. Chris' estimate was \$10,048.50. **Jim made a motion to accept the bid from Ronnie Madison in the amount of \$5,681.00 as long as it meets Chris' specs. Jim seconded the motion and the motion carried.**

Sign Contract – The contract was signed for the Dora Clymer Surface Reconstruction M-32 project.

Goodland Lateral @ Mill & James- Chris told the board that he had been contacted by a Goodland representative in regard to replacing or extending the length of the culvert under Mill & James St. During the mini 500 someone hit one of the guardrails & was hospitalized due to the injury. Therefore they wondered if the existing culvert could be reconfigured or an extension added so that there would be enough cover over the culvert in order to remove the guardrail. Jim asked about the condition of the culvert to which Chris responded that it is in pretty good shape. Larry

said Goodland could extend to the southwest but not the northeast and that the SW is dangerous anyway. Jim asked what it is that the Town of Goodland wants from the drainage board. Chris replied that they want the culvert extended so that they can remove the guardrail. Jim said the way he sees it is we can extend the culvert and the rest is up to them. Jim asked who is going to pay for it to which Chris replied that he thinks they are expecting the county to pay for the extension. Chris said the culvert is an elliptical 2' x 3' or something like that – 3' x 4'. Larry said it would take 20' on the southwest end and also that the county had extended the pipe at the NE corner of the pond a couple of years ago. Larry said it is already a dangerous situation for pedestrians and skateboarders. He said there was a precedent set when we extended the NE corner to take out the sharp turn. Larry estimated the extension at \$2,000 **(this was revised after the meeting to \$1,000).** **Chris is to get a price for the culvert and report back at the next meeting.**

Other Matters – Deb mentioned that according to calculations based upon Josh's bid of \$9,250, the assessment for the Simons Lateral would be \$9.50/ac. for 8 years. **Jim made a motion to set the Simons Lateral M-729 at \$9.50/ac. for 8 years. Tim seconded the motion and the motion carried.**

Meeting adjourned.